

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA, *

PLAINTIFF, *

V. * CASE NO.2:06CR148-WHA

BENJANIN L. VANBUREN, *

DEFENDANT. *

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

Defendant Benjamin L. VanBuren, by and through his
attorney, submits the following:

1. The defendant is charged with conspiracy to possess
with intent to distribute methamphetamine, possession with
intent to distribute same and use/carry of a firearm during
a drug trafficking offense.

2. The above styled matter is set for suppression
hearing on January 23, 2007 at 9:00 a.m.

3. The above styled matter is set for trial during the
jury term beginning March 12,2007, at 10:00 a.m.

4. The defendant, Benjamin L. VanBuren, is currently
in the custody of the Warden of the Gwinnett County
Detention Center, 2900 University Parkway, Lawrenceville, GA
30045, for a probation violation hold.

5. The presence or testimony of the defendant at the
suppression hearing and trial is material and necessary for

the successful and just resolution of the criminal charges against defendant

Wherefore, plaintiff requests that this Court issue a Writ of Habeas Corpus Ad Testificandum to the United States Marshall or to the Warden of the Gwinnett County Detention Center, 2900 University Parkway, Lawrenceville, GA, or to such other proper custodian of defendant to bring the defendant, Benjamin L. VanBuren, before this Court on the 23rd day of January, 2007, at 9:00 a.m. for a suppression hearing, and for the trial set to begin on March 12, 2007, at 10:00 a.m., and such other dates and times as this Court sets to attend and or testify for his hearings and trial in the above styled matter, and to return the defendant back to the said custody in Georgia immediately upon the conclusion of the hearings or trial.

Respectfully submitted this 8th day of January, 2007.

s/Jeffery C. Duffey
JEFFERY C. DUFFEY
Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all necessary parties.

Respectfully submitted,

s /Jeffery C. Duffey
JEFFERY C. DUFFEY
Attorney for defendant